

November 5th, 2024

This is in response to the motion for default Judgment. I have written numerous times to the addresses provided:

Charles Ali Everage, NCSB #28267

Hunter/Everage

P.O. Box 25555

Charlotte, NC 28229

FILED
CHARLOTTE, NC

NOV 13 2024

US DISTRICT COURT
WESTERN DISTRICT OF NC

United States District Court
Office of the Clerk

Room 210, Charles R. Jonas Building

401 West Trade Street

Charlotte, NC 28202

I assume my letters have not been received therefore these will be sent to both addresses Certified mail in hopes they will be received. According to the Legal mail I received that was signed on August 22, 2024 as well as September 3rd, 2024 by The Honorable Frank D. Whitney United States District Judge. The Legal mail states the "Plaintiff is further advised that a failure to show cause or failure to respond to this Order may result in the dismissal of this case against Defendant." "It is so ordered." That on September 3rd, 2024 was the last piece of Legal mail received from United States District Court Western District of North Carolina Charlotte Division. The next Piece of mail received also dated September 3rd, 2024 was a threatening letter from the Attorney for Plaintiff, the Letter is enclosed, I only have 1 copy to send therefore since the Plaintiff's attorney sent the Letter, this 1 copy I have will be sent to the United States District Court.

The next piece of Legal mail I received was on October 29th, 2024 that was dated October 18th, 2024 from Katherine Hord Simon, clerk United States District Court, for an entry of Default. I Kyle Garrett Harris do not have attorneys or lawyers, and I do not understand how I am suppose to defend any action as required by law. I am not pleading to anything. Defendant respectfully shows the Court that said Plaintiff has failed to file a response in regards to the Honorable Judge Frank D. Whitney United States District Judge's Court order on August 22nd, 2024, ordering Plaintiff to show cause why no pretrial submissions have been submitted in this matter. (Doc. NO. 16) Plaintiff Failed to file a response. September 3rd, 2024, "Plaintiff is hereby ORDERED to show cause by September 6th, 2024, why the Complaint against Defendant Harris in his individual capacity should not be dismissed for failure to prosecute." Signed by the Honorable Frank D. Whitney United States District Judge September 3rd, 2024. I Kyle Harris have seen no response or plead or defense from Plaintiff to answer what has been asked from the Honorable Frank D. Whitney United States District Judge.

I Kyle Garrett Harris declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Kyle Garrett Harris
Kyle Garrett Harris
05 November 2024